

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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UNITED STATES OF AMERICA,

-against-

FRANKLIN MINAYA,

Defendant.

ORDER

01 Cr. 00619 (VM)

VICTOR MARRERO, United States District Judge.

On November 11, 2020, the Court stayed the proceedings regarding defendant Franklin Minaya ("Minaya") successive 28 U.S.C. § 2255 petition, pending the resolution of one or more of the following appeals before the Second Circuit: United States v. McCoy, No. 17-3515; United States v. Collymore, No. 19-596; United States v. Morris, No. 16-6. (See Dkt. No. 398.)

On July 23, 2021, the Court also stayed the resolution of Castellano's successive petition pending the Supreme Court's decision in United States v. Taylor, No. 20-1459. (See Dkt. No. 407.) On June 21, 2022, the Supreme Court issued its decision in Taylor. See 142 S. Ct. 2015 (2022). The Supreme Court also remanded McCoy, Collymore, and Morris for consideration in light of Taylor.

Accordingly, it is hereby

ORDERED the resolution of defendant Alberto Castellano's successive 28 U.S.C. § 2255 petition is held in abeyance pending a decision in one or more of the following cases: United States v.

McCoy, No. 17-3515; United States v. Collymore, No. 19-596; United States v. Morris, No. 16-6. The Clerk of Court is directed to mail a copy of this Order to Franklin Minaya, Register Number 52447-054, USP Lewisburg, U.S. Penitentiary, P.O. Box 1000, Lewisburg, PA 17837, and note service on the docket.

SO ORDERED.

Dated: August 4, 2022
New York, New York



Victor Marrero
U.S.D.J.